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Resolution No. 2022/23-10  
Date: August 24, 2022

**Emergency Resolution Delegating Authority To The Superintendent To Take Necessary Action To Protect Students And Staff From The Spread Of Coronavirus (COVID-19)**

**WHEREAS**, on March 2, 2020, the Sonoma County Department of Public Health declared the existence of a local and public health emergency arising from the coronavirus (COVID-19); and

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19); and **WHEREAS**, the Sonoma County Office of Education has advised all school districts to prepare for school closures resulting from the coronavirus (COVID-19) outbreak; and

**WHEREAS**, on March 12, 2020, Governor Newsom issued an executive order directing Californians to cancel large public gatherings (over 250 people) and to enforce social distancing; and

**WHEREAS**, the Sonoma County Department of Public Health and the Sonoma County Office of Education issued guidance on March 14, 2020, regarding enhanced measures to prevent the spread of the coronavirus (COVID-19) outbreak, which included measures such as social distancing, canceling or postponing large gatherings, and the recommendation to suspend “in-person classes”; and

**WHEREAS**, on March 19, 2020, Governor Gavin Newsom issued a Stay at Home Order for the State of California; and

**WHEREAS**, on August 2, 2021, the California Department of Public Health issued a statement requiring all students and staff to wear masks indoors, unless exempted; and

**WHEREAS**, on March 7, 2022, the California Department of Public Health issued a statement transitioning its statewide universal indoor masking requirement in K-12 school settings to a strong recommendation that individuals (e.g., students and staff) continue to wear masks indoors; and

**WHEREAS**, Article I, Section 28, of the California Constitution declares that “[a]ll students and staff of public, primary, elementary, junior high, and senior high school . . . have the inalienable right to attend campuses which are safe, secure and peaceful;” and

**WHEREAS**, Education Code section 35161 permits the Board to delegate to an officer or employee of the District any of the Board’s powers and duties, and the Board desires to delegate to the District Superintendent certain powers and duties to address the Coronavirus (COVID-19) pandemic;

**WHEREAS**, Board Policy 2210 indicates “that, in the course of operating district schools or implementing district programs, situations may arise which may not be addressed in written policies. In such situations, or when immediate action is necessary to avoid any risk to the safety or security of students, staff, or district property or to prevent disruption of school operations, the Superintendent or designee shall have the authority to act on behalf of the district in a manner that is consistent with law and Board policies.”

**NOW THEREFORE, BE IT RESOLVED AND ORDERED** that the Board hereby declares the existence of an ongoing emergency within the District arising from the coronavirus (COVID-19) pandemic.

**BE IT FURTHER RESOLVED AND ORDERED** the Superintendent is delegated authority to take all appropriate action to respond to the coronavirus (Covid-19) pandemic, including, but not limited to, any action: A. To ensure and protect the welfare, safety and educational wellbeing of all students; B. To ensure and protect the welfare and safety of persons working for the District which shall include its agents, employees, representatives and all others acting for or on behalf of the District; C. To provide necessary staffing and instruction; D. To modify school and work schedules; E. To assign District employees (in their capacity as disaster service workers) to perform such disaster service activities as may be assigned to them; F. To cancel or modify any activities, programs, or courses, up to and including the temporary closure of the District. G. To protect District property. H. To make further declarations of emergency and to take emergency action as permitted by law.

**BE IT FURTHER RESOLVED AND ORDERED**, per Board Policy 2210, that “the Superintendent shall be accountable to the Board for all areas of operation under his/her authority. As appropriate, the Superintendent or designee shall notify the Board as soon as practicable after he/she exercises the authority granted under this policy. The Board president and the Superintendent shall schedule a review of the action at the next regular Board meeting. If the action indicates the need for additions or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.”

**BE IT FURTHER RESOLVED AND ORDERED**, that should any portion of this Resolution be held invalid, the invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provisions or application, and to this end the provisions of this Resolution are declared to be severable.

**BE IT FURTHER RESOLVED AND ORDERED**, that should the State of California and/or the Sonoma County Department of Public Health rescind its public health emergency order, declaring the coronavirus (COVID-19) no longer a threat to K-12 public schools, the provisions of this Resolution terminate.

**BE IT FURTHER RESOLVED AND ORDERED** that this Resolution is an emergency measure within the mandate and jurisdiction of the Board and is necessary for the immediate welfare of the schools and pupils thereof. Therefore, this Resolution shall become effective immediately upon its adoption and shall remain in effect until June 30, 2023.

**PASSED AND ADOPTED** by the following vote of the Governing Board of Santa Rosa City Schools, County of Sonoma, State of California on August 24, 2022.

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Stephanie Manieri, Clerk of the Board

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Date